

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

BLACKBERRY LIMITED, ET AL.,

Defendants.

CIVIL ACTION NO. 6:13-cv-510

JURY TRIAL DEMANDED

UNOPPOSED STIPULATED DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Cellular Communications Equipment LLC (“CCE”) and Defendants BlackBerry Limited and BlackBerry Corporation (collectively, “BlackBerry”) hereby stipulate to the dismissal of the above-captioned action WITHOUT PREJUDICE pursuant to an agreement reached between Cellular Communications Equipment LLC, on the one hand, and BlackBerry Limited, on the other hand, concerning the BlackBerry products at issue. In view of this, Plaintiff seeks to dismiss WITHOUT PREJUDICE AT&T Mobility LLC, Cellco Partnership d/b/a Verizon Wireless, Sprint Solutions, Inc., Sprint Spectrum L.P., Boost Mobile, LLC, T-Mobile USA, Inc., and T-Mobile US, Inc. (collectively, “the Carrier Defendants”) from the above-captioned action and the Carrier Defendants do not oppose.

CCE and BlackBerry ask that the Court enter the attendant proposed Order of Dismissal Without Prejudice, with each party to bear its own costs, expenses and attorneys’ fees associated with filing the dismissal.

CCE has not released, and nothing in this Stipulation should be construed as a release or discharge of, any claim it has or may have in the future against any Defendant named in this action, or any other asserted infringer of the patents-in-suit. Furthermore, CCE does not dismiss, by this Stipulation, its claims pending against any Defendant to any related action, including its claims against AT&T Mobility LLC, Cellco Partnership d/b/a Verizon Wireless, Sprint Solutions, Inc., Sprint Spectrum L.P., Boost Mobile, LLC, T-Mobile USA, Inc., and T-Mobile US, Inc. asserted in related actions.

Dated: December 10, 2014

<p>Respectfully submitted,</p> <p><u>/s/ Edward R. Nelson, III</u> Edward R. Nelson, III enelson@nbclaw.net Texas State Bar No. 00797142 Brent N. Bumgardner bbumgarnder@nbclaw.net Texas State Bar No. 00795272 Barry J. Bumgardner barry@nbclaw.net Texas State Bar No. 00793424 S. Brannon Latimer blatimer@nbclaw.net Texas State Bar No. 24060137 Thomas C. Cecil tcecil@nbclaw.net Texas State Bar No. 24069489 NELSON BUMGARDNER CASTO, P.C. 3131 West 7th Street, Suite 300 Fort Worth, Texas 76107 Phone: (817) 377-9111 Fax: (817) 377-3485 T. John Ward, Jr. Texas State Bar No. 00794818 J. Wesley Hill Texas State Bar No. 24032294 Claire Abernathy Henry</p>	<p>Respectfully submitted,</p> <p><u>/s/ Kurt M. Pankratz</u> Kurt M. Pankratz Texas Bar No. 24013291 kurt.pankratz@bakerbotts.com Roshan Mansinghani Texas Bar No. 24057026 roshan.mansinghani@bakerbotts.com BAKER BOTT S L.L.P. 2001 Ross Avenue, Suite 600 Dallas, Texas 75201-2980 Telephone: (214) 953-6584 Facsimile: (214) 661-4584 ATTORNEYS FOR DEFENDANTS BLACKBERRY LIMITED, BLACKBERRY CORPORATION, AT&T MOBILITY LLC, BOOST MOBILE, LLC, CELLCO PARTNERSHIP INC. D/B/A VERIZON WIRELESS, SPRINT SOLUTIONS, INC., SPRINT SPECTRUM L.P., T-MOBILE US, INC., AND T- MOBILE USA, INC. <u>/s/ Robert W. Weber</u> Robert W. Weber Texas State Bar No. 21044800</p>
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<p>Texas State Bar No. 24053063 WARD & SMITH LAW FIRM P.O. Box 1231 1127 Judson Rd. Ste. 220 Longview, Texas 75606-1231 (903) 757-6400 (903) 757-2323 (fax) jw@jwfirm.com wh@wsfirm.com ch@wsfirm.com</p> <p>ATTORNEYS FOR PLAINTIFF CELLULAR COMMUNICATIONS EQUIPMENT LLC</p>	<p>E-mail: bweber@smithweber.com SMITH WEBER, L.L.P. 5505 Plaza Drive -- P.O. Box 6167 Texarkana, TX 75505-6167 TEL: 903-223-5656 FAX: 903-223-5652 Mark McGrory (pro hac vice) ROUSE HENDRICKS GERMAN MAY PC 1201 Walnut, 20th Floor Kansas City, MO 64106 TEL: 816-471-7700 FAX: 816-471-2221 E-mail: MarkM@rhgm.com</p> <p>ATTORNEYS FOR DEFENDANTS SPRINT SOLUTIONS, INC., SPRINT SPECTRUM, L.P., AND BOOST MOBILE, LLC</p>
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CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), I certify that the parties have met and conferred and that this Stipulation is unopposed.

/s/ Edward R. Nelson, III

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of December, 2014, I electronically filed the foregoing document with the clerk of the Court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the Court's electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Edward R. Nelson, III